

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

UNITED STATES OF AMERICA

v.

2:06CR69

LOUISE ANNE MCCOURT

Defendant.

REPORT AND RECOMMENDATION  
CONCERNING GUILTY PLEA

Defendant, by consent, has appeared before the undersigned pursuant to Rule 11, Federal Rules of Criminal Procedure, and referral from a United States District Judge and has entered a guilty plea to making a false statement, in violation of 18 U.S.C. 1001. The case proceeded on a single-count criminal information. Defendant waived her right to be indicted in open court, as evidence by the filed "Waiver of Indictment," bearing her signature.

Defendant was represented by appointed counsel, Arenda L. Wright Allen, Esquire. On May 19, 2006, defendant appeared before the Court for the purpose of entering her guilty plea. She was appropriate in appearance, responsive, and competently prepared for the hearing.

Defendant answered all questions put to her in clear and concise language. On those occasions when she had a question, defendant consulted with counsel and then promptly answered. Defendant was courteous and appropriate in her behavior at all times and clearly understood the seriousness of her position. At the close of the proceeding, defendant was continued on bond, subject to the same conditions of release as originally imposed.

Defendant is forty-five years of age, graduated from high school and attended college, and speaks English as her native language. There was no evidence that defendant was on drugs, alcohol, or medication which might impair her judgment. She was cooperative throughout the proceeding.

Defendant entered the guilty plea pursuant to a plea agreement. The Court is completely satisfied, based upon defendant's responses, that she fully appreciates her position. Furthermore, she acknowledged that the statement of facts prepared in anticipation of her plea accurately reflects the government's evidence, in the event of trial.

After cautioning and examining defendant under oath concerning each of the subjects mentioned in Rule 11, the Court determined that the offense charged is supported by independent facts, establishing each of the essential elements of such offense. Therefore, the Court recommends that the guilty plea be accepted and that defendant be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this report and recommendation within ten days from the date of its service shall bar an aggrieved party from attacking such report and recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b) (1) (B).

/s/

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**James E. Bradberry  
United States Magistrate Judge**

**Norfolk, Virginia**

\_\_\_\_\_, 2006

Clerk's Mailing Certificate

A copy of the foregoing Report was mailed this date to each of the following:

Arenda L. Wright Allen, Esquire  
Federal Public Defender's Office  
Town Point Center, Ste. 403  
150 Boush Street  
Norfolk, VA 23510

Alan Salsburg, Esquire  
Assistant United States Attorney  
United States Attorney's Office  
101 West Main Street, Suite 8000  
Norfolk, VA 23510

Fernando Galindo, Acting Clerk

By \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_, 2006